

\*Permit No. 6153

5045

APPLICATION FOR A PERMIT

41946

To appropriate the Public Waters of the State of Oregon

I, John E. Timmerman (Name of Applicant) of Banks, Route 1 (Postoffice), County of Washington, State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Little Beaver (Name of stream) tributary of Gales Creek

2. The amount of water which the applicant intends to apply to beneficial use is between one and two cubic feet per second.

3. The use to which the water is to be applied is Irrigation and to water stock. (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located Fifty rods east of the northwest corner of Section 30. (Give distance and bearing to section corner)

(Statement 5 - See outside sheet.)

being within the NW 1/4 of the NW 1/4 of Sec. 30, Tp. 2 N, R. 4 West, W. M., in the county of Washington (No. N. or S.)

5. The main ditch to be 150 rods approximately in length, terminating in the SW 1/4 of the NW 1/4 of Sec. 30, Tp. 2 N, R. 4 West, W. M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (No. N. or S.)

6. The name of the ditch, canal or other works is Private Irrigation ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate (Timber, concrete, etc., number and size of openings)

\* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(b) At ..... miles from headgate. Width on top (at water line) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of ..... 15 ..... acres, located in each smallest legal subdivision, as follows: .....

(Give area of land in each smallest legal subdivision which you intend to irrigate) NW 1/4 of the NW 1/4 and the SW 1/4 of the NW 1/4 of Section 30 T 2 N. R. 4 W. Will. Mer.

Statement No. 9, Note of explanation.

The number of acres that can be irrigated, for which this application is made to irrigate, in each forty acre tract crossed by said ditch is approximately as follows:

The NW 1/4 of NW 1/4 Sec. 30 Four acres,
The SW 1/4 of NW 1/4 Sec. 30 Eleven acres.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed ..... theoretical horsepower.

(b) Total fall to be utilized ..... feet. (Head)

(c) The nature of the works by means of which the power is to be developed .....

(d) Such works to be located in ..... of Sec. .... (Legal subdivision)

Tp. ...., R. ...., W. M. (No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream? ..... (Yes or No)

(f) If so, name stream and locate point of return .....

....., Sec. ...., Tp. ...., R. ...., W. M. (No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is .....

(h) The nature of the mines to be served .....

MUNICIPAL SUPPLY—

11. To supply the city of .....  
..... County, having a present population of .....  
(Name of)  
and an estimated population of ..... in 19.....

(Answer questions 12, 13, 14 and 15 in all cases)

- 12. Estimated cost of proposed works, \$..... **See Remarks**
- 13. Construction work will begin on or before " " .....
- 14. Construction work will be completed on or before " " .....
- 15. The water will be completely applied to the proposed use on or before ..... **do.**

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

**John E. Timmerman.**

(Name of applicant)

Signed in the presence of us as witnesses:

- (1) **Dorothy H. Seymour,** ..... **Forest Grove, Oregon.**  
(Name) (Address of Witness)
- (2) **Harry T. Giltner,** ..... **Forest Grove, Oregon.**  
(Name) (Address of Witness)

Remarks: **The ditch has been in use by the Timmerman family since 1914, and they are now seeking a legal right to retain the right to use it.**

**Diverting of Water, -**

The head of the ditch, or intake, is level with the bed of the stream and the water can be diverted from the channel of the stream by filling the bed of the stream with a few shovels of dirt thus diverting the water into the irrigation ditch, and vice versa a few shovels of dirt, placed at head of ditch turns the water into the channel of the stream. The head of the stream is but a short distance above the intake and the water is shallow and there is no bank to the stream.

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:

**Questions 5, 9 & fees.**

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before **January 17** 1924

WITNESS my hand this **18** day of **December, 1923.**

**Rhea Luper,**

State Engineer.

**L.A.**

Application No.....

Permit No..... 6153

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.....

This instrument was first received in the office of the State Engineer at

Salem, Oregon, on the 17 day of December, 1923, at 8:30 o'clock A.M.

Returned to applicant for correction December 18, 1923.

Corrected application received

Approved:

January 30, 1924.

Recorded in Book No. 21 of Permits, on Page 6153

Rhea Luper.

State Engineer.

1 map ER

\$10.25.

STATE OF OREGON, )
County of Marion, ) ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The right herein granted is limited to the appropriation of

water from Little Beaver Creek for irrigation and stock purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.28 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is December 17, 1923.

Actual construction work shall begin on or before January 30, 1925 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1926.

Complete application of the water to the proposed use shall be made on or before October 1, 1927

WITNESS my hand this 30th day of January, 1924. Rhea Luper.

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 5723, Oregon Laws, and the payment of annual fees as provided in Section 5303, Oregon Laws.

STATEMENT No. 5. Note of explanation: The irrigation plan proposed in this application does not contemplate a pipe line, but it is to be an open ditch through the northwest quarter of section thirty T 2 N. R 4 West, Will. Mer. in Washington County, Oregon, owned by the heirs of Johann Pinnerman and occupied by applicant, one of the heirs. The point of termination of the ditch is approximately twenty rods east of the southwest corner of the said northwest quarter of said section where any overflow from said ditch would be discharged into a natural open drain or branch of Little Beaver Creek.